

Notice of Allowability

Application No.

10/709,272

Examiner

Theresa T. Snider

Applicant(s)

SMITH, LISA A.

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/30 & 7/6/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Specification

0065, line 5, '24' has been deleted.

0066, lines 5, 7(both occurrences), 8, 10 and 12, '24' has been deleted;

Line 6, '28' and '30' have been deleted.

0067, lines 2, 5, 8 and 24, '40' has been deleted;

Lines 4, 5, 7, 11, 13, 15 and 17, '24' has been deleted.

0068, lines 3 and 8, '44' has been deleted.

0069, line 14, '44' has been deleted.

0070, line 14, '44' has been deleted.

0071, line 1, --to-- has been inserted after 'respect'.

0073, line 5, '24' has been deleted.

0074, lines 5, 6, 7(both occurrences), 8, 10 and 12, '24' has been deleted.

0075, lines 2 and 5, '40' has been deleted;

Lines 4, 5 and 7, '24' has been deleted.

0076, lines 3 and 6, '68' has been deleted;

lines 12 and 14, '24' has been deleted.

Art Unit: 1744

0077, lines 2 and 3, '24' has been deleted;

Lines 2, 3, 6 and 7, '68' has been deleted.

0078, lines 3(1st occurrence) and 8, '44' has been deleted.

0079, line 14, '44' has been deleted.

0080, line 14, '44' has been deleted.

In the Claims

Claims 2-8 and 10-16, line 1, 'A' has been replaced with 'The'.

2. The following is an examiner's statement of reasons for allowance: The prior art discloses a surface cleaning device having a housing with a divider that divides the housing into two housing interiors HOWEVER fails to disclose or fairly suggest a surface cleaning device adapted for use with a vacuum cleaner nozzle inlet having a housing with a divider therein dividing the housing into a first housing interior with a first opening having a first selected surface profile and a second housing interior with a second opening having a second selected surface profile and a divider aperture collar adjacent the divider sized and configured to removably engage the vacuum cleaner nozzle inlet to create communication selectively between either the first housing interior and the inlet or the second housing interior and the inlet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Carlstedt and Lampe disclose a surface cleaning device having a housing divided two interiors. Kim discloses a surface cleaning device having two openings with a plurality of bristles. GB2364499 discloses a surface cleaning device for stairs having a plurality of bristles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Theresa T. Snider

Application/Control Number: 10/709,272

Page 5

Art Unit: 1744

Theresa S. Snider

Primary Examiner

Art Unit 1744

7/17/2006

**THERESA T. SNIDER
PRIMARY EXAMINER**